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# THE HOMESTEAD STRIKE.

## I. A CONGRESSIONAL VIEW.

BY THE HON. WILLIAM C. OATES, CHAIRMAN OF THE CONGRESSIONAL INVESTIGATING COMMITTEE.

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HOMESTEAD is a very comfortable-looking, neat little town of 10,000 to 12,000 inhabitants, situated on the left bank of the Monongahela River, seven miles east of the city of Pittsburg. Its inhabitants are chiefly laborers and mechanics of various degrees of skill, from the highest down to the ordinary laborer, with a competent number of small merchants and tradespeople. About one-half of the population are of foreign birth and represent various European nationalities.

About one mile up the river from the heart of the town are located the Homestead Works of Carnegie, Phipps & Co., the cost of which, exclusive of the ground, is near \$6,000,000. At these works they manufacture structural materials used largely in fireproof buildings, such as beams, channels, etc. They also manufacture steel armor plates for use in the construction of war vessels. The 119-inch mill at which these plates are finished is one of the best of its kind in the world. The armor plate for the new Cruisers 9 and 10 now being constructed is manufactured here. The Navy Department has a contract with this company for 6,000 tons of armor plate to be used in the construction of our new war vessels. They also manufacture at Homestead all kinds of plate and do a general miscellaneous business.

Up to the last of June there were employed in these works about 3,800 men, including a number of boys. The pay-roll showed a disbursement for the month of May alone of something over \$200,000. Wages have been from 14 cents per hour to the common laborer, that being the lowest, up to \$280 per month (which was the highest paid in the month of May), a majority of the skilled laborers receiving \$200 and less.

While the Carnegie company under its present management has been exacting, it has also performed many acts of liberality and kindness to its employees. It has at times loaned money to some of them to purchase lots and build their homes, for the use of which it has charged them but 6 per cent. interest. It receives from them deposits upon which it pays them 6 per cent. interest, the aggregate amount of which the last of June was \$140,000.

On July 1, 1889, the company through its officers made a contract with a number of skilled workmen, through the Amalgamated Association of Iron and Steel Workers, to run for three years, or until the 30th of June, 1892.

The basis of that contract was a certain sum per ton of the products in different mills, and \$25 per ton as the minimum price for  $4 \times 4$  Bessemer steel billets, with a sliding scale so that if the market price of billets went above that figure the workmen would get the benefit of the rise; if the market price fell below \$25 per ton, the compensation of the workmen would not be less than the minimum. When this contract was about to expire, the company, through its President and chief manager, Mr. Frick, and its chief superintendent, Mr. Potter, submitted a proposition to the workmen, which proposed a reduction of the minimum to \$22 per ton of steel billets; also a reduction in some of the departments of the amount of tonnage rate paid; also to change the time of the year when the contract should expire, from the 30th of June to the last day of December.

After considerable negotiation the company proposed to raise the minimum to \$23 per ton, and the workmen offered to take \$24—which was refused. The workmen also refused to accede to the proposed change in the time of the expiration of the contract, on the ground that the company would have them at a disadvantage in any renewal of contract which would expire in mid-winter. The negotiations were broken off on the 24th of June.

Mr. Frick, who is a very intelligent and shrewd business man, gives as his chief reasons for the proposition to reduce the wages of his employees:

*First*, That the price of steel billets, blooms, slabs, etc., has fallen to such a figure in the market that, in justice to his company, the minimum should be reduced (or abolished, as there was no maximum); and,

*Secondly*, That the improved machinery put in some of the mills

since the contract of 1889 doubles the output of the finished product with no increase in the number of laborers, which very greatly increases their tonnage compensation. This latter point is contested by the workmen and explained in several ways, so it would require an expert to pass a perfectly intelligent and just judgment upon the point. Mr. Frick testified before the Congressional Committee that his company has lost money this year, and he thinks the greater part of last year, on every ton of slabs, billets and blooms produced and sold by them. He claims that the McKinley law has nothing to do with this question; that it reduced the duties on all products, the like of which he manufactures, and still these are practically prohibitory, as the diminished amounts of importations clearly proves. He attributes the fall in price to increased domestic production.

In 1874 there were produced in the United States but 91,000 tons of steel ingots, whereas in 1890 the total production was 4,131,000 tons.

Our protective tariff laws, which destroy foreign competition, it is claimed, are enacted for the benefit of the skilled laborers employed by the manufacturers. The advocates of the McKinley tariff law during its consideration proclaimed its purpose to be to give the American market to the American manufacturer, and thereby to enable him pay his laborers higher wages. These promises have not been faithfully kept. Wages have in no case been increased, but in many instances they have been reduced. The promises made to the operatives have been disappointing. Mr. Frick claims that over-production has caused a most remarkable decline in prices within the last three years, and that this makes it necessary for the Carnegie company to reduce expenses.

The high protection extended by Congress to manufacturers, principally on such articles as this company has been manufacturing, has induced the investment of capital in the manufacture of iron and steel, until by this unnatural stimulus over-production has resulted. It disturbs the laws of trade—of supply and demand—and by thus producing more than there is a demand for, prices are driven down and a necessity is created for cutting down the expenses of the manufacturer, and it may be the wages of labor included. In this way the protective tariff disappoints the laboring man and becomes the parent of trusts, combines, strikes and lockouts. The manufacturer, no more than the

laborer, can help it, though he is largely responsible for it. He asks Congress for the protection he receives and must bear the consequences. It disturbs and disappoints labor, while professing to protect and foster it. After the breaking off of negotiations on the 24th of June a feeling of estrangement rapidly developed between the employees at Homestead and the officers of the Carnegie company. Messrs. Frick and Potter were hanged in effigy within the works. On the 30th of June the works were closed. On July 1st the striking workmen congregated about the gates and stopped and persuaded the foremen and employees who came to enter to go away. An advisory committee of fifty was raised from the Amalgamated Association. The watchmen of the company were turned away from the works; guards were placed at all the entrances thereto, the river, streets and roads entering the town were patrolled by guards, and a rigid surveillance exercised over those who entered the town or approached the works.

When the sheriff came on the 4th of July and demanded to put deputies of his own selection in possession of the works, to guard them for the company, his request was declined, the striking workmen proposing to place guards of their own and give indemnity for the safety of the property, but this the sheriff declined because it would enable them to keep non-union men whom the company might employ from taking the places lately held by the strikers. On the 5th of July, when the sheriff sent twelve deputies to take possession of the works, they were not allowed to do so and were driven away.

As early as about the 20th of June Mr. Frick began negotiations with Robert A. Pinkerton, of New York, for the employment of 300 watchmen to be placed in the works at Homestead. On the 25th he wrote a letter to Pinkerton giving instructions as to the movements of the guards, who were to rendezvous at Ashtabula, O., and from thence to be transported by rail to Youngstown, and from thence to be transported by boat up the river and landed in the works at Homestead.

Arms and ammunition for the men were sent in goods boxes from Chicago by William A. Pinkerton, according to the direction of Mr. Frick, and placed on Captain Rodgers's boats at Allegheny. On the evening of the 5th of July Captain Rodgers' boats, with Deputy Sheriff Gray, Superintendent Potter and some of his

assistants on board, dropped down the river with two barges in tow, until they met the Pinkerton men, who were embarked on the barges. The boats took the barges in tow, and on the way up one of the steamers became disabled, while the other took both barges, endeavoring to land at Homestead before day, when the people would be asleep and the strikers would likely know nothing of it until after the Pinkerton men were safely within the picket fence surrounding the works. They did not violate any law of Pennsylvania ; but they knew that the hostility to the Pinkerton men upon the part of all labor organizations was calculated to produce a breach of the peace.

The greatest mistake made by Mr. Frick was that he did not appeal to the State and county authorities for protection in the first instance. He began to negotiate for the employment of the Pinkerton forces before the negotiations for the re-employment of the workmen were broken off. His company had a legal right to put Pinkerton men or any other employees into the works at Homestead as guards or otherwise, provided in doing so it did not trespass upon the rights of person or property of others. It is but fair to say that this he tried to avoid. The Pinkertons are professional detectives, and guards or watchmen, and in the latter capacity may properly be characterized as a sort of private police or semi-military force.

Mr. Frick should have first appealed to the sheriff of his county for protection. He gave as a reason why he did not, his want of confidence in the efficiency of the sheriff and the deputies he would likely have employed. The sheriff may be a very inefficient officer and lacking in that pluck and energy that is so essential at times to be exercised by an executive officer, but had Mr. Frick and his learned attorneys urged the sheriff and aided him by their counsel, although his efforts in the discharge of his duty were but puerile and futile, if the officers of the Carnegie company had joined him in the appeal to the Governor, and Mr. Frick had gone to him in person and laid the facts before him, there is no doubt that Governor Pattison would, as he finally did do in obedience to a sense of official duty, have supplied a sufficient force to enable the sheriff to take possession and deliver the works to the officers of the company, to the end that they might operate them in whatever way they saw proper.

Men of wealth and capital, as well as the poor mechanics and

laborers in this country, must learn to respect the law and the legally constituted authorities, and have recourse to these to redress their wrongs and obtain their rights in preference to undertaking to do these things by private or personal instrumentalities. If men of wealth and corporations may with impunity hire guards in great numbers to perform the functions of the county and State officials in protecting property and preserving the peace, its inevitable effect will be to bring local government and civil authority into contempt.

When Capt. Rodgers's boat with the barges in tow was approaching Homestead, just as day was breaking, a small steamer used by the strikers for patrol purposes set up a whistle, which was responded to by all the engines in town under their control. This caused a crowd to at once assemble along the bank of the river, where it kept pace with the boat, discharging firearms. When the crowd on shore reached the fence around the works they were temporarily halted, but tearing down a part of it they rushed through. A part of the crowd on the shore came down near to the boat when the gang-plank was pushed out. A short war of words was followed by firing on each side, which resulted ultimately in the death of three of the Pinkerton men and seven of the workmen, and the wounding of many on each side. After a brief fusillade those on shore fled in various directions, and the Pinkerton men retreated into their barges. An hour or two later, after having made the barges fast to the wharf, Capt. Rodgers took the wounded upon his boat, and with Superintendent Potter and Deputy Sheriff Gray steamed up the river to take the wounded to a hospital. About 11 o'clock the boat returned, the deputy sheriff still on board. He said that it was his intention to tow the barges and the Pinkerton men away, but the boat received a heavy fire from the striking workmen with small arms and artillery from both sides of the river. One or two of her crew were either killed or severely wounded, and at one time the pilot for safety abandoned his post and let the steamer drift, so that it became impossible for her to take the barges in tow, and with great difficulty it ran the gauntlet of the fire and escaped to Pittsburg.

At this time the strikers on shore were endeavoring to use a piece of artillery upon the barges, but they could not depress it sufficiently and consequently fired over them. They also poured oil into the river above the barges and set it on fire, but this

failed of its purpose, because the water in the river is slack at this point and the wind was blowing up instead of down the river. About five o'clock in the afternoon the Pinkertons displayed a white flag, and negotiated terms of surrender, by which they were allowed to take out their clothing, but their arms and everything else fell into the possession of the Homestead people. The barges were immediately set on fire and burned, and in their burning the pump-house belonging to the Carnegie company was also destroyed. The Pinkerton men now being practically prisoners of war, were marched up town to the skating rink for temporary imprisonment, and on their way, instead of receiving that protection which Mr. Hugh O'Donnell, the chairman of the Advisory Committee, in negotiating the terms of surrender had promised, they were brutally and outrageously maltreated. The injuries inflicted upon them, in some cases, were indecent as well as brutal. Whether these men were of good or bad character, the offence which they had committed against the feelings of the people of Homestead could in no degree justify the indignities with which they were treated.

The sheriff was notified and that night came down and took the prisoners away, informed Governor Pattison of what had transpired, and called upon him again for troops to enforce law and order, to which the Governor responded, as his duty under the law required.

I think that Mr. Frick, like many other manufacturers, is not infatuated with labor organizations, and hence is opposed to the Amalgamated Association and its methods, and had no very great desire to contract with his workmen through that organization. This was the true reason why he appeared to them as autocratic and uncompromising in his demands. They claim that he was too stern, brusque and autocratic to reason with them and hear their arguments. If the business of his company, on account of a fall in the market price of the products of the works, required a reduction of the wages of the employees, he should have appealed to their reason and shown them the true state of the company's affairs. I am persuaded that if he had done so an agreement would have been reached and all the troubles which followed would thus have been avoided.

Secret political organizations are inconsistent with our American republican system of government, because the public at large



has the right of participation in all matters pertaining to government. Laborers, farmers, and men engaged in any business, have the right to organize for their mutual benefit and protection, and even though their organization be secret that constitutes no objection if it is non-political. But no organization of laborers or others has the right of enforcing its wishes or the decrees of its councils by strong hand, setting at defiance the rights of others, or by violations of the law.

I have no doubt that the Amalgamated Association, which is, as I understand it, non-political, may be very useful to its members in many ways if properly limited and directed. While I do not assume it as to this association, there is such a thing as over-organization, to the extent of making the members thereof zealots, and then its unreasonable demands, like a boomerang in its rebound, injure its devotees more than the blow injures the supposed enemy at whom it is aimed, and in this way its usefulness is greatly impaired or destroyed.

The right of any man to labor, upon whatever terms he and his employer agree, whether he belong to a labor organization or not, and the right of a person or corporation (which in law is also a person) to employ any one to labor in a lawful business is secured by the laws of the land.

In this free country these rights must not be denied or abridged. To do so would destroy that personal freedom which has ever been the just pride and boast of American citizens. Even the "moral suasion" which the members of labor organizations may use to prevent non-union men from accepting employment must not be carried too far or it may become intimidation and coercion, and hence be unlawful. We must recognize the fact that in this country every man is the architect of his own fortune. A denial or obstruction of this right should not be tolerated, palliated, or excused. Our entire system of government, State and Federal, is based upon the idea of the individual right of every citizen to life, liberty, and the pursuit of happiness. It is not the business of government to aid anyone in the acquisition of property, but it is the business of governments and their duty, each acting within its sphere, to protect the citizen, the humblest as well as the most autocratic, in the enjoyment of the right to his life, his liberty, and the pursuit of happiness. Not to make property for him, nor to furnish him the opportunity of making

it, but to amply protect him in his lawful efforts to make it and to enjoy the fruits of his labor.

Congress has, from time to time, arrogated to itself the right to legislate in a manner and upon subjects of which it can properly have no jurisdiction, until the people have become educated to the idea that its powers to legislate are unlimited, and hence, whatever occurs that is deemed an evil, Congress is at once appealed to by thousands for a legislative remedy or relief. It is a familiar principle enunciated by every respectable commentator upon the constitution, and decided many times by the Supreme Court of the United States, that the powers of Congress must be sought alone in some express grant in the constitution, or be found necessary to carry into effect such powers as are therein granted ; and that the states have exclusive jurisdiction of all local matters.

Congress, therefore, has no power to interfere by legislation in the labor troubles at Homestead, nor in any similar ones which may subsequently occur there or elsewhere. A voluntary arbitration law was passed by Congress, applicable to railroad strikes, and there is also one in Pennsylvania applicable to her own affairs, but neither of them is of any practical utility. Parties will not have recourse to that method of settlement, and there is no way to enforce the award when rendered.

Nor is a compulsory arbitration law practicable. Such a law could only be enacted by the State, and compulsory arbitration would be no arbitration at all, since it would at once be the exercise of judicial power.

Courts can afford remedy for violated contracts, but in a case like that at Homestead, where the parties fail to agree,—where they fail to make a contract,—if the State could invest a tribunal with authority to step in and say that the proposition of the Carnegie Company was reasonable and that the striking workmen should accept it and go to work, thus making for them a contract which they refused to make, and the workmen did not choose to obey the award, how could it be enforced ?

No legislative authority can deprive any man of the right to contract in respect to his own private property or labor and without his consent confer that power upon another person or tribunal. His discretion and personal right cannot be thus taken from him, for that would at once destroy his freedom.

The rights of property and personal liberty are secured by the

fundamental laws of the state and nation, just as they were by the English common law and Magna Charta, which the old barons, sword in hand, wrested from King John, at Runnymede.

The legislature of every state should be diligent in enacting wise, conservative and just laws for the protection of both labor and capital, so that demagogues may have a narrower field for agitation. Unless something of this kind be done, within the next decade we may reasonably expect a revolution and bloodshed which may work a change in the form of our government. Laboring men and poor people generally are much more interested in preventing this calamity than are the rich. The poor man derives but little benefit from a strong government, which would be the probable outcome of revolution.

Congress can contribute much towards allaying agitation by repealing all class legislation and greatly restricting foreign immigration.

WM. C. OATES.

## II. A CONSTITUTIONAL VIEW.

BY GEORGE TICKNOR CURTIS.

THE editor of THE NORTH AMERICAN REVIEW has requested me to give my opinion on "the legality of the employment of Pinkerton detectives in such cases as the Homestead strike." The inquiry relates to other cases similar in all material respects to the recent occurrences at Homestead, in Pennsylvania. It also involves the relations of employers and employed in all similar branches of manufactures; the relations between the owners of mills, factories, etc., and the workmen whom they employ. A great deal has been written on the relations of capital and labor, and written to very little purpose. It is, however, not difficult to define the rights of property owners or capitalists on the one hand, and of workmen on the other; nor is it difficult to determine what society—by which I mean the legislative power—owes to each of them respectively.

The matter of the Homestead strike has been very much simplified by the statement made by the Messrs. Pinkerton on the 22d of July to the Judiciary Committee of the United States Senate. It appears that for the past twenty years what is called the Pinkerton agency has been a private concern, which has furnished detectives for the discovery of crime, and watchmen to

guard the property of individuals and corporations during strikes. The men who have been so employed were not public officers or officers of the law, unless in a particular case they were made so by some public authority. They were like any other private individuals employed as watchmen to protect private property from the violence of a mob, from burglars, or any similar danger. They had the same rights of self-defence and the same right of defending the property of their employers.

Homestead is a borough on the Allegheny River, ten miles from Pittsburg. It contains about 10,000 inhabitants. Most of the male inhabitants are employed in one capacity or another, either as skilled or unskilled laborers, in the iron and steel manufacturing establishments. Their wages were exceptionally high. There exists among them, as there exists elsewhere, what is called a "trades-union." This is a body of workmen banded together for the purpose, among other things, of keeping up the price of labor, and, by means of a strike, of coercing their employers, when the latter do not accede to their terms. A strike is a concerted and sudden cessation of work at a given signal or order, issued by the authority of the union, in whom the power to issue it is vested by the members. Sometimes this authority is a single individual; sometimes it is an advisory committee. In all cases, when a strike is ordered, work ceases at once, to the great injury of employers and employed.

In the Homestead case, the existing agreement between the Carnegie Steel Company and their workmen about wages, had run out. Mr. Frick, the managing agent of the company, had an interview with the men, and offered a new scale of wages. This the men refused to accept. Mr. Frick then closed the mills. After this the workmen seized the mills, excluded the owners from their property by an overwhelming force, and prevented the employment of non-union men. Obviously, it was indispensable that something should be done to restore law and order, and to reinstate the owners of the mills in their property. The local officer of the law, whose duty it was to do this, was the sheriff of Allegheny County. His means consisted only of special deputy sheriffs appointed from the citizens at large, and sworn in as a temporary and extemporized force. In a population consisting largely of the striking workmen and their sympathizers, a force adequate to do what had to be done could not be obtained.

Thereupon the Carnegie Steel Company applied to the Pinkerton agency for a body of watchmen to protect their property. The agency refused to supply the men unless they should be sworn in as deputy sheriffs before going to Homestead. The account runs:

"The agency was then assured that the sheriff of Allegheny County knew that the men were going to Homestead to act as watchmen to guard the property of the company, and that the sheriff had promised immediately upon any outbreak or disturbance to deputize all the Pinkerton watchmen as deputy sheriffs. On that condition only the agency consented to furnish about 300 watchmen. A large number of these were regular employees of the agency, who could be thoroughly trusted for integrity, prudence and sobriety. The sheriff's chief deputy, Gray, accompanied the men."\*

The men were sent down the Allegheny River on barges. It is immaterial whether there is or is not a law of Pennsylvania which prohibits the sending of a body of armed men into the State for any purpose. I understand that there is no such law in Pennsylvania, although there is such a law in some of the New England States. But the Pinkerton men were within the limits of the State before they were armed or needed to be. The boxes containing arms and ammunition were shipped from Chicago, *and were to be delivered at the Homestead yards.* These boxes, on board the barges, were not opened and the contents distributed until after the strikers had begun firing from the shore on the watchmen and it had become an evident matter of self-defence. Klein, one of the Pinkerton watchmen, had been killed by the strikers, and about five other men shot and wounded before the Pinkerton men began their fire in self-defence. Then it was impossible to shoot those firing from the shore at the barges, because the strikers had made a breastwork for themselves by placing women and children in front and firing from behind them.

The Pinkerton men were obliged to capitulate before they were allowed to land, and even then they were not permitted to go to the mills which they had been employed to protect. They were conducted by an overwhelming force of the strikers to Labor Hall, the place of meeting of the strikers. There they were made to promise to quit Homestead and never again to serve the mill owners. On their way from the hall they were insulted and brutally assailed by a mob, among whom the women were the most violent. They

\* Statement of Mr. Robert Pinkerton to the Judiciary Committee of the United States Senate, July 22, 1892.

were withdrawn from the State by the agency, and thus the whole object for which they had been employed was prevented.

Under these circumstances, the sheriff of Allegheny County applied to the Governor of the State for a military force. The Governor declined to order out any of the troops of the State, until the sheriff had exhausted his means of restoring law and order by the appointment of special deputies. The sheriff made an ineffectual effort to do this, but the citizens responded in such few numbers that it would have been idle to rely on the civil arm alone. When the Governor was officially informed of this, he ordered out the entire division of the State militia, about 6,000 men, under General Snowden, a capable, prudent and experienced officer. The troops were marched to Homestead, and encamped on a hill that overlooks the town. It is only necessary to say, concerning this part of the history, that at the time at which I am writing there is every prospect that the strike will be completely put down, and thus the State of Pennsylvania will have rendered a great service to the whole country, employers and employed, capitalists and laborers.

On the indubitable facts of the Homestead case, which I have taken great pains to gather from authentic sources, I have no hesitation in expressing my opinion, as follows :

*First*, That the owners of the mills had a perfect legal right to employ any necessary number of men to defend their property.

*Secondly*, That all the acts of the Pinkerton men at Homestead were lawful ; and that, as watchmen, they had a right to bear arms on the premises of the Carnegie company in order to protect life and property, whether they were or were not deputized by the sheriff of Allegheny County ; and that the agency had the right to ship arms for such purposes from Chicago to the Carnegie yards at Homestead ; and that, in view of the attack on the barges, the watchmen had the right to bear arms and defend themselves ; and that all their acts in firing in self-defence from the barges after the attack on them were legally justifiable under the laws of the United States and the State of Pennsylvania.

*Thirdly*, That the killing of Klein by one or more of the riotous strikers was a murder.

*Fourthly*, That all who stood by, sympathizing with and encouraging the strikers, or not exerting themselves to prevent

the strikers who were armed from firing on the barges, were accessories to the murder.

Having thus answered the question that was propounded to me, I shall devote the remainder of the space allotted for this article to the consideration of the duty of the legislative power in the States of this Union in reference to the whole subject of strikes. The stake that society has in all branches of manufacturing industries and in all the great lines of communication and travel is too vast to permit any body of men, large or small, on any pretext, to put a sudden stop to production, or to cause a sudden paralysis in the system of daily and hourly intercourse between different communities.

Unfortunately, there is one embarrassing difficulty. Whenever such a disturbance as that at Homestead occurs, politicians at once endeavor to turn it to the advantage of their political party ; and men in high places, who ought to be ashamed of themselves, are often found encouraging the strikers, for the purpose of making what is called "political capital." Mr. Carnegie happens to be a Republican in politics, and his works at Homestead are an eminent instance of the beneficial effect of a protective tariff on the interests of American manufacturers and American laborers. For this reason, Democratic papers and politicians of free trade proclivities take the side of the strikers and endeavor to excite hatred of Mr. Carnegie and his business associates. On the other hand, some Republican papers and politicians are prone to charge the Democratic executive of Pennsylvania with pusillanimous hesitation because he did not at once respond to the call of the sheriff of Allegheny County. Whether we shall ever be entirely free from this disturbing element of politics in reference to this matter of strikes, is problematical. But it is certain that the duty of society remains the same.

The first duty of the legislative power is to emancipate the individual workman from the tyranny of his class. Unless this be done, capitalists can afford no aid to the solution of any labor problem whatever. Of what avail is it that a mill owner or a railroad company is willing to make fair terms with workmen if the state of things is such that they cannot employ whom they please, on such terms as will be agreed to by the men who want employment ? It is only by making the individual laborer a perfectly free man that society can do its duty to him and to those who wish to buy his

labor for a price that he is willing to take, and which it is for the interest of those who are dependent upon him to have him take.

In opposition to this view, it will be said that the individual workman is a free agent now, and that if he choose to join a trades-union and bind himself not to work for wages less than what the union permits him to take, it is his own affair ; he is acting in his own right. There is a wide distinction between the physical power to do a thing and the moral and legal right to do it. Men have the physical power to commit suicide, but society does not allow that they have a moral or a legal right to do it. On the same principle, the individual workman should not be allowed to commit moral suicide by surrendering his liberty to the control of his fellow workmen. His labor is his capital, all that he has in the world, all that he and his family have to depend upon for subsistence from day to day. It is to him and them what money invested in real estate, machinery, etc., is to the capitalist. Deprive the capitalist of the power to determine what remuneration he shall derive from the employment of his invested money, and you do the same wrong as when you deprive the laborer of the free power to determine what remuneration he will be content to take for the employment of his capital, which consists of his muscular power and his acquired skill.

These doctrines may not be popular. They may not meet at once with universal acceptance. But until they are accepted and carried out in legislation, there can be no successful reconciliation between the interests of capital and the interests of labor ; no adjustment of the rights of society and the rights of employers and employed.

In order that I may not be misunderstood, I will now draw the line between what it may and what it may not be permitted to workmen to do. Associations of workmen, formed for the purpose of discussing the subject of wages with their employers, of obtaining and diffusing information about the price of labor in different places, and of mutual assistance in time of sickness, are beneficial and should be encouraged. But the trades-unions do not confine themselves to these objects. They transcend the line which divides what they may from what they may not rightfully do. In this respect they do a double wrong :

*First*, They bind their members to strike when ordered to do so by the governing authority of the union. Now the right to



renounce an employment is an individual and not a corporate right. The corporate body of a trades-union should not be permitted to bind their members to quit work, as a body, when ordered to do so by the governing authority of the association.

*Secondly*, The trades-unions, as most of them are now organized, prevent non-union men from getting employment, by every species of intimidation, even by personal violence, and sometimes by murder.

This coercion of non-union men, however attempted and in whatever it ends, should be made a crime, and be punished with severity. It is contrary to the fundamental principles of our institutions. The Declaration of Independence says "we hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

Be it observed that these are individual rights; that they are inalienable by the individual himself. We should not permit a man to sell himself into slavery or to sell his own life. He cannot alienate his right to life or his right to liberty. No more should he be permitted to alienate his right to the pursuit of happiness, by giving up his power to consult his own individual welfare, in obtaining the means of happiness; and by putting it in the power of those who are engaged in the same employment to take the bread out of his mouth. We have emancipated the colored race from slavery; certain portions of our own race need emancipation from a slavery that is just as bad.

GEORGE TICKNOR CURTIS.

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### III. A KNIGHT OF LABOR'S VIEW.

BY T. V. POWDERLY, GENERAL MASTER WORKMAN OF THE  
KNIGHTS OF LABOR.

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THE principle involved in the Homestead trouble is the same as that by which the founders of this republic were governed in rebelling against the British government. To have accepted decisions, decrees, and laws without question, and without a voice in their making, would have stamped the colonists as slaves. To

accept, without inquiring the why or wherefore, such terms and wages as the Carnegie Steel Company saw fit to offer would stamp the brand of inferiority upon the workmen of Homestead. Independence is worth as much to the workingman as it can be to the employer. The right to sell his labor in the highest market is as dear to the workman as the right of the manufacturer to sell the product of that labor can possibly be to the latter. It is folly to assert that the workman has no right to a voice in determining what the minimum rate of compensation shall be. If the manufacturer is permitted to invade the market place and undersell competitors a reduction in the wages of his employees must inevitably follow. It was to protect the manufacturer as well as the workman that the Amalgamated Association insisted on a minimum rate of pay. The fixing of that rate imposed no hardship on the manufacturer ; it gave no competitor the advantage over him, for the majority of mills were operated under the Amalgamated scale, and this of itself fixed a rate below which manufacturers would not sell. The minimum rate was therefore as advantageous to the manufacturer as to the workman in the steel trade. The question at issue between the Carnegie Steel Company and the steel workers does not so much concern the price as the right to a voice in fixing that price.

Individual employers no longer exist ; the day no longer dawns on the employer taking his place in the shop among the men. When that condition of workshop life existed employer and employee experienced a feeling of lasting friendship for each other ; the interests of each were faithfully guarded by the other. Now the employer of men may be three thousand miles away from the workshop ; he may be a part of a syndicate or corporation which deals with the employees through a special agent or superintendent, whose desire to secure the confidence and good will of the corporation may cause him to create friction in order to demonstrate that he is vigilant in looking after the interests of those to whom he looks for favors. The corporation, composed of many men, is an association of capital which delegates its authority to an agent whose duty it is to deal with the workmen and make terms with them. The Amalgamated Association, and all other bodies of organized workmen, stand in the same relation to the men as the corporation does to the capitalists whose money is invested. One invests money, that is, his capital ; the

other invests his labor, which to him is not only his capital but his all. That the workman should have the same right to be heard through his legitimately appointed agent, the officer of the labor organization, that the corporation has to be heard through the superintendent or agent, is but equity. This is the bone of contention at Homestead, and in fact everywhere else where a labor organization attempts to guard the rights of its members.

Every law, every right, every concession which the workingmen now enjoy has come to them through the labor organization. Philanthropists have spoken honeyed words for the laboring man, but he has always been forced to knock, and knock hard, with his organization in order to take what equity would have accorded him without a struggle if greed had not entered its protest. Equality of rights is what the workmen are contesting for, and because of its immense wealth the Carnegie Steel Company denies that right. It is argued that this trouble is between the employer and the employed and that no other has the right to interfere. That is a doubtful position to take. In a store, in a small shop, or where but a few persons are interested, a strike or lockout may be said to affect only those directly engaged in it, but in the present instance the case presents a different aspect to the thoughtful person. If the great steel plant were not just where it is the town of Homestead would not be the flourishing place that it is. The establishment of that plant attracted workmen to the spot; they built homes, raised their families, and invested every dollar of their earnings there. Business men, professional men, and clergymen followed them, and a community of well-behaved, respectable citizens surrounds the steel works. The workmen by their labor made the steel works prosperous and great; on the other hand they made Homestead what it is. The men depend for their support on steady work, and the community back of them depends on their steady employment. Three parties are interested in this struggle, the Carnegie Steel Company, the employees of that concern, and the community. By community I mean the whole people. Other towns have grown up as Homestead grew, by the labor of workmen, and each one is to a certain extent interested in the welfare of the other. The articles manufactured in one place are sold in another, and a mutuality of interests exists to-day which did not, and could not, exist years ago when men required but few things

to serve the every-day needs of life. The manager of the Carnegie Steel Company in asserting that he has the right to turn the makers of a prosperous town out of employment and out of the town,—for that naturally follows,—stands upon treacherous ground, for the makers of towns have equally as good a right to be heard as have the investors of money. If we go to a higher law than that of the land, the moral law, there will be no disputing the assertion that flesh and blood should receive more consideration than dollars and cents.

The Carnegie Steel Company and like concerns owe their prosperity to the protective laws of the United States. These laws were passed in the interest of labor. During discussion on the tariff laws it was never advanced as a reason why they should be passed, that capital would be protected,—the argument was always that labor would be protected. The workman has not been protected from foreign competition by the government. He has had to fight the battle for himself through the labor organization. Not only has he had to fight against foreign competition, largely attracted by our delusive tariff laws, but he has had to wage war with the employer for a share of that protection which his government decreed by law that he should have. Our government has enacted protective legislation in the interest of labor, if we read congressional speeches aright, but it quiescently allows the manufacturer to absorb the bulk of protection, and then throws its armies around the establishment at the slightest provocation when the workmen ask for what their government admitted that they had a right to enjoy.

What would have averted this trouble at Homestead, is asked? Industries which are protected by tariff laws should be open to inspection by government officials. When the managers of such concerns seek to absorb all of the protection the government should interfere on behalf of the workingmen. If we must have protection let us see to it that it protects the man who works.

At the hands of the law-making power of State and nation the Knights of Labor demand "the enactment of laws providing for arbitration between employers and employed, and to enforce the decision of the arbitrators." It should be a law in every State that in disputed cases the employer should be obliged to select two arbitrators and the employees two, these four to select the fifth; this arbitration commission to have access to all books, papers, and facts bearing on the question at issue from both sides. It

goes without saying that the commission should be made up of reasonable, well-disposed men, and that publicity would not be given to such information as they might become possessed of.

An established board of arbitration, appointed by a governor or other authority, is simply no board of arbitration at all, for the reason that the workmen would have no voice in its selection, and the other side, having all the money and influence, would be tempted to "fix" such a board preparatory to engaging in a controversy with workingmen. For either side to refuse to appoint its arbitrators should be held to be cause for their appointment by the Governor of the State. No strike or lockout should be entered upon before the decision of the board of arbitrators. Provisions for appeal from the decision of the arbitrators should be made in order to prevent intimidation or money from influencing the board.

In no case should the introduction of an armed force, such as the Pinkerton detective agency arms and equips, be tolerated. The system which makes one man a millionaire makes tramps and paupers of thousands. The thousands go down to the brothels and slums, where they sprout the germs of anarchy and stand ready for any deed of desperation. The millionaire becomes more arrogant and unreasonable as his millions accumulate. Victimized and blacklisting are the concomitants of the rule of industrial establishments by our millionaire "lords of industry," and these measures furnish recruits for the army of greed when organized labor enters its protest against such acts of injustice as has made tramps of other men under like circumstances. The employer who is satisfied with a reasonable profit will not fear to intrust his case to such a board of arbitrators as I have described. The employer who refuses arbitration fears for the justice of his cause. He who would acquire legitimately need not fear investigation; he who would steal must do it in the dark in order to be successful.

Those who harshly criticise the workmen of Homestead should put themselves in the place of these workmen for a few brief moments of thought. Picture the skill required to turn out faultless work, the loss of eyesight which follows a few years of toil before the seething furnace, the devotion to duty which must be shown in order to succeed. Then step outside of the mill and witness the erection of a high fence and its armament. Con-

sider what it means and that it is being erected before a threat has been made or a disagreement considered among the possibilities. Think of the stigma which the erection of that fence casts on the man who works, the builder of the town; and then reflect that it is being built to serve as a prison-pen for those who must work so cheap that they will not be able to erect homes or maintain families in respectability. Ponder over the fact that when cheap men take the places of well-paid men, they do not buy carpets, organs, pianos, decent, respectable furniture or raiment, and that the makers of these articles elsewhere will be thrown out of employment, and that other manufacturers will be driven to bankruptcy because of a falling off in the demand for their product. Then read what Mr. Carnegie said six short years ago in speaking of the question of employing non-union, cheap men :

“To expect that one dependent upon his daily wage for the necessities of life will stand by peaceably and see a new man employed in his stead is to expect much. This poor man may have a wife and children dependent upon his labor. Whether medicine for a sick child, or even nourishing food for a delicate wife, is procurable, depends upon his steady employment. In all but a very few departments of labor it is unnecessary, and, I think, improper, to subject men to such an ordeal. In the case of railways and a few other employments it is, of course, essential for the public wants that no interruption occur, and in such case substitutes must be employed; but the employer of labor will find it much more to his interest, wherever possible, to allow his works to remain idle and await the result of a dispute than to employ the class of men that can be induced to take the place of other men who have stopped work. Neither the best men as men, nor the best men as workers, are thus to be obtained. There is an unwritten law among the best workmen: ‘Thou shalt not take thy neighbor’s job.’ No wise employer will lightly lose his old employees. Length of service counts for much in many ways. Calling upon strange men should be the last resort.”

The introduction of an armed body of men at the outset was an indication that some man would be expected to “take his neighbor’s job,” and at once. The arbitrament of the sword was the first thought with the Carnegie Steel Company. The laws of Pennsylvania were disregarded in arming citizens of other States and assigning them to duty at Homestead. In that awful spectacle to which the eyes of humanity turned on the 6th of July could be seen the final abolition of brute force in the settlement of strikes and lockouts. What the law will not do for men they must do for themselves, and by the light of the blazing guns at Homestead it was written that arbitration must take the place of “Pinkertonism.”

T. V. POWDERLY.